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11 *Attorneys for defendant TD Ameritrade, Inc.*

12 **UNITED STATES DISTRICT COURT**  
13 **DISTRICT OF NEVADA**

14 Case No. 2:18-cv-02078-KJD-VCF

15 BRANDI CZERNIEWSKI, individually, as  
16 Personal Representative of the Estate of Bruce  
17 Schepens, as Trustee of the Bruce Schepens  
18 Revocable Trust, and as Trustee of the Bruce  
19 Schepens Separate Property Trust,

20 Plaintiff,

21 v.

22 KRISTINE KEPPEL, an individual, and  
23 TD AMERITRADE, INC., a Foreign Corporation,  
24 Defendants.

25 **STIPULATION AND ORDER TO**  
26 **ENTER ARBITRATION AND TO**  
27 **STAY CERTAIN CASE**  
28 **PROCEEDINGS**

29 Defendant TD Ameritrade, Inc. (“TD Ameritrade”), defendant Kristine Keppel  
30 “(“Keppel”), and plaintiff Brandi Czerniewski, individually, as Personal Representative of the  
31 Estate of Bruce Schepens, as Trustee of the Bruce Schepens Revocable Trust, and as Trustee of  
32 the Bruce Schepens Separate Property Trust (“plaintiff”), collectively referred to as the  
33 “parties,” by and through their respective undersigned counsel, hereby stipulate and agree as  
34 follows:

35 **IT IS HEREBY STIPULATED** that plaintiff Czerniewski will proceed with her claims  
36 against defendant Keppel before this Court;

1       **IT IS FURTHER STIPULATED** that all claims and potential claims by all parties  
2 against TD Ameritrade that arise out of the allegations in the plaintiff's complaint, including,  
3 without limitation, direct claims, counter-claims, and cross-claims, shall be stayed pending  
4 resolution of the claims by and between plaintiff Czerniewski and defendant Keppel through  
5 settlement or judgment of the Court;

6       **IT IS FURTHER STIPULATED** that all statutes of limitation and statutes of repose  
7 applicable to all claims and potential claims by all parties against defendant TD Ameritrade that  
8 arise out of the allegations in the plaintiff's complaint, including, without limitation, direct  
9 claims, counter-claims, and cross-claims, are tolled during such stay;

10       **IT IS FURTHER STIPULATED** that all claims and potential claims by all parties  
11 against defendant TD Ameritrade that arise out of the allegations in the plaintiff's  
12 complaint, including, without limitation, direct claims, counter-claims, and cross-claims, will  
13 proceed to arbitration through the Financial Institution Regulatory Authority ("FINRA")  
14 pursuant to the provisions of the Federal Arbitration Act, 9 U.S.C. § 1 *et. seq.* (the "FAA"); and

15       **IT IS FURTHER STIPULATED** that any arbitration proceedings subject to this  
16 Stipulation and Order shall not be initiated until after the claims by and between Plaintiff and  
17 Keppel are resolved through settlement or judgment of the Court;

18  
19 Dated this 20<sup>th</sup> day of December, 2019.

Dated this 20<sup>th</sup> day of December, 2019.

20  
21 HUTCHISON & STEFFEN, PLLC

SOLOMON DWIGGINS & FREER, LTD.

22 /s/ Joseph R. Ganley

/s/ Ross E. Evans

23 \_\_\_\_\_  
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Dated this 20<sup>th</sup> day of December, 2019.

CARY COLT PAYNE, CHTD.

*/s/ Cary Colt Payne*

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Cary Colt Payne (4357)  
700 South Eighth Street  
Las Vegas, Nevada 89101  
*Attorneys for defendant Kristine Keppel*

**ORDER**

**IT IS SO ORDERED.**

Dated this 27<sup>th</sup> day of December, 2019.



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DISTRICT COURT JUDGE KENT J. DAWSON

Respectfully submitted by:  
  
HUTCHISON & STEFFEN, PLLC  
  
*/s/ Joseph R. Ganley*

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